

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the **PATENT APPLICATION** of:

Donald L. Schilling

**Application No.:** 09/878,586

**Filed:** June 11, 2001

**For:** BROADBAND CDMA OVERLAY  
SYSTEM AND METHOD

**Group:** Not Yet Known

**Examiner:** Not Yet Known

Our File: I-2-53.3US

Date: September 25, 2001

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Technology Center 2600

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Further to applicant's Duty of Disclosure pursuant to 37 C.F.R. § 1.56, Applicant wishes to bring to the Examiner's attention the material cited on the enclosed PTO-1449 forms.

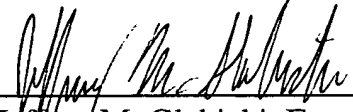
Pursuant to 37 C.F.R. § 1.98(d) copies of documents cited in the parent application are not enclosed, but copies will be provided upon request. These documents are identified on the PTO-1449 forms by an asterisk (\*).

**Applicant:** Donald L. Schilling  
**Application No.:** 09/878,586

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the PTO-1449 form indicating his consideration of the cited materials.

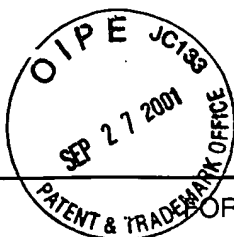
Respectfully submitted,

Donald L. Schilling

By   
Jeffrey M. Glabicki, Esquire  
Registration No. 42,584  
(215) 568-6400

Volpe and Koenig, P.C.  
Suite 400, One Penn Center  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103

JMG/lma  
Enclosures

Sheet 1 of 6

FORM PTO-1449  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use several sheets if necessary)	ATTY. DOCKET NO. I-2-53.3US	SERIAL NO. 09/878,586
	APPLICANT Donald L. Schilling	
	FILING DATE June 11, 2001	GROUP Not Yet Known

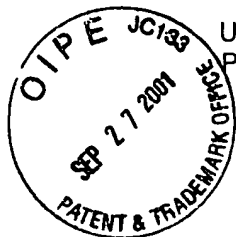
## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA*	3	8	3	1	0	1	3	8/74	Alsup et al.			
	AB*	3	9	0	0	7	2	1	8/75	Speiser et al.			
	AC*	4	1	1	2	3	7	2	9/78	Holmes et al.			
	AD*	4	2	2	2	1	1	5	9/80	Cooper et al.			
	AE*	4	2	3	8	8	5	0	12/80	Vance			
	AF*	4	2	4	7	9	4	2	1/81	Hauer			
	AG*	4	3	9	2	2	3	2	7/83	Andren et al.			
	AH*	4	4	1	8	3	9	3	11/83	Zscheile, Jr.			
	AI*	4	4	1	8	4	2	5	11/83	Fennel, Jr. et al.			
	AJ*	4	4	2	5	6	4	2	1/84	Moses et al.			
	AK*	4	4	5	5	6	5	1	6/84	Baran			
	AL*	4	4	7	9	2	2	6	10/84	Prabhu et al.			
	AM*	4	5	1	2	0	1	3	4/85	Nash et al.			
	AN*	4	5	2	3	3	1	1	6/85	Lee et al.			
	AO*	4	5	3	3	1	3	0	11/85	Kato			
	AP*	4	5	6	3	7	7	4	1/86	Gloge			
	AQ*	4	6	0	6	0	3	9	8/86	Nicolas et al.			
	AR*	4	6	1	2	6	3	7	9/86	Davis et al.			
	AS*	4	6	2	1	3	6	5	11/86	Chiu			
	AT*	4	6	4	7	8	6	3	3/87	Skudera, Jr. et al.			
	AU*	4	6	4	9	5	4	9	3/87	Halpern et al.			
EXAMINER										DATE CONSIDERED			

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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FORM PTO-1449

ATTY. DOCKET NO.  
I-2-53.3USSERIAL NO.  
09/878,586U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEINFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use several sheets if necessary)

APPLICANT  
Donald L. SchillingFILING DATE  
June 11, 2001GROUP  
Not Yet Known

## U.S. PATENT DOCUMENTS

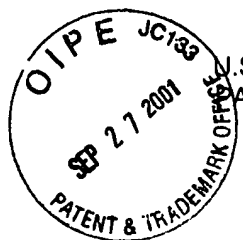
EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AV*	4	6	5	3	0	6	9	3/87	Roeder			
	AW*	4	6	6	0	1	6	4	4/87	Leibowitz			
	AX*	4	6	7	2	6	0	5	6/87	Hustig et al.			
	AY*	4	6	7	2	6	2	9	6/87	Beier			
	AZ*	4	6	7	2	6	5	8	6/87	Kavehrad et al.			
	BA*	4	6	7	5	8	3	9	6/87	Kerr			
	BB*	4	6	8	0	7	8	5	7/87	Akiyama et al.			
	BC*	4	6	9	1	3	2	6	9/87	Tsuchiya			
	BD*	4	6	9	7	2	6	0	9/87	Grael et al.			
	BE*	4	7	0	3	4	7	4	10/87	Foschini et al.			
	BF*	4	7	0	7	8	3	9	11/87	Andren et al.			
	BG*	4	7	1	8	0	8	0	1/88	Serrano et al.			
	BH*	4	7	3	0	3	4	0	3/88	Frazier, Jr.			
	BI*	4	7	4	2	5	1	2	5/88	Akashi et al.			
	BJ*	4	7	5	9	0	3	4	7/88	Nagazumi			
	BK*	4	7	8	9	9	8	3	12/88	Acampora et al.			
	BL*	4	7	9	9	2	5	3	1/89	Stern et al.			
	BM*	4	8	0	5	2	0	8	2/89	Schwartz			
	BN*	4	8	0	7	2	2	2	2/89	Amitay			
	BO*	4	8	3	7	8	0	2	6/89	Hiashiyama et al.			

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ATTY. DOCKET NO.  
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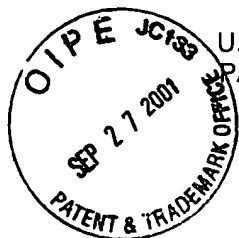
EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	BP*	4	8	5	0	0	3	6	7/89	Smith			
	BQ*	4	8	6	0	3	0	7	8/89	Nakayama			
	BR**	4	8	6	2	1	7	8	8/89	Sturza et al.			
	BS*	4	8	6	6	7	3	2	9/89	Carey et al.			
	BT*	4	8	9	4	8	4	2	1/90	Broekhoven et al.			
	BU*	4	9	0	1	3	0	7	2/90	Gilhousen et al.			
	BV*	4	9	1	4	6	5	1	4/90	Lusignan			
	BW*	4	9	2	2	5	0	6	5/90	McCallister et al.			
	BX*	4	9	3	0	1	4	0	5/90	Cripps et al.			
	BY*	4	9	3	2	0	3	7	6/90	Simpson et al.			
	BZ*	4	9	6	9	1	5	9	11/90	Belcher et al.			
	CA*	4	9	7	7	5	7	7	12/90	Arthur et al.			
	CB*	4	9	7	7	5	7	8	12/90	Ishigaki et al.			
	CC*	5	0	0	5	1	6	9	4/91	Bronder et al.			
	CD*	5	0	1	6	2	5	5	5/91	Dixon et al.			
	CE*	5	0	1	6	2	5	6	5/91	Stewart			
	CF*	5	0	2	2	0	4	7	6/91	Dixon et al.			
	CG*	5	0	2	3	8	8	7	6/91	Takeuchi et al.			
	CH*	5	0	2	9	1	8	1	7/91	Endo et al.			
	CI*	5	0	4	0	2	3	8	8/91	Comroe et al.			

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APPLICANT  
Donald L. SchillingFILING DATE  
June 11, 2001GROUP  
Not Yet Known

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	CJ*	5	0	4	8	0	5	2	9/91	Hamatsu et al.			
	CK*	5	0	5	6	1	0	9	10/91	Gilhousen et al.			
	CL*	5	0	6	7	1	4	7	11/91	Lee			
	CM*	5	0	9	3	8	4	0	3/92	Schilling			
	CN*	5	1	7	9	5	7	1	1/93	Schilling			
	CO*	5	1	8	5	7	6	2	2/93	Schilling			
	CP*	5	1	9	3	1	0	1	3/93	McDonald et al.			
	CQ*	5	2	1	2	8	0	5	5/93	Comroe et al.			
	CR*	5	2	1	8	6	1	8	6/93	Sagey			
	CS*	5	2	2	8	0	5	3	7/93	Miller et al.			
	CT*	5	3	3	9	3	3	0	8/94	Mallinckrodt			
	CU*	5	3	5	1	2	6	9	9/94	Schilling			
	CV*	5	7	0	3	8	7	4	12/97	Schilling			

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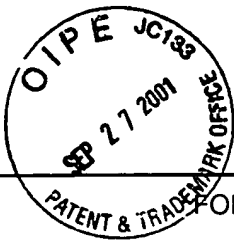
## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
													YES	NO
	CW*	2	1	7	3	3	7	7A	10/86	UK				
	CX*	0	2	6	5	1	7	8	4/88	Europe				
	CY*	8	3	0	2	5	3	3	7/83	PCT				

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DATE CONSIDERED

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Sheet 5 of 6

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	APPLICANT Donald L. Schilling	
	FILING DATE June 11, 2001	GROUP Not Yet Known

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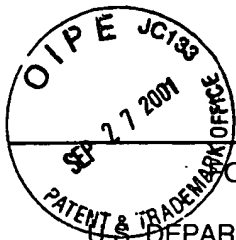
## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

CZ*		S.O. Rice, Time-Series Analysis, Chap. 25, John Wiley & Schilling, Principles of Communication Systems, 2nd Edition, McGraw-Hill, New York, 1986
DA*		M.B. Pursley, "Performance Evaluation for Phase-Coded Spread-Spectrum Multiple-Access Communication - Part I: System Analysis", IEEE Transactions on Communications, Com-25, No. 8, August, 1977
DB*		J.M. Holtzman, "A Simple, Accurate Method To Calculate Spread-Spectrum Multiple-Access Error Probabilities", IEEE Transactions on Communications, Vol. 40, No. 3, March 1992
DC*		Fluhr, Z.C. and Porter, P.T., "Advanced Mobile Phone Service: Control Architecture", The Bell System Technical Journal (Jan. 1979), Vol. 58, No. 1, pp. 43-69.
DD*		DeGaudenzi, R. and Viola, R., "A Novel Code Division Multiple Access System for High Capacity Mobile Communications Satellites", ESA Journal (1989), Vol. 13, pp. 303-322.
DE*		Stiffler, J.J., Theory of Synchronous Communications (Prentice-Hall, Inc., New Jersey), table of contents listing.
DF*		Scholtz, Robert A., "The Origins of Spread-Spectrum Communications", IEEE Transactions on Communications (May 1982), Vol. Com. 30, No. 5; pp. 822-855.
DG*		Nettleton, Raymond W., Spectral Efficiency in Cellular Land-Mobile Communications: A Spread-Spectrum Approach (1978) (unpublished Ph.D. Dissertation, Purdue University.
DH*		Cooper, George R. and Nettleton, Ray, W., "Cellular Mobile Technology: The Great Multiplier," IEEE Spectrum, June 1983, pp. 30-37.
DI*		Blasbalg, H., "A Comparison of Pseudo-Noise and Conventional Modulation for Multiple-Access Satellite Communications," IBM Journal of Research Development, Vol. 9, No. 4, Jul. 1965, pp. 241-255.

EXAMINER

DATE CONSIDERED

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Sheet 6 of 6FORM PTO-1449  
U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
I-2-53.3USSERIAL NO.  
09/878,586APPLICANT  
Donald L. SchillingFILING DATE  
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STATEMENT BY APPLICANT

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## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
					YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

DJ*	Dixon, Robert C., Spread Spectrum Systems (John Wiley & Sons, Inc.: New York, 3d ed. 1994), pp. 412-413.
DK*	The International Dictionary of Physics and Electronics (D. Van Nostrand Co.: Princeton, NJ, 2d ed. 1961), pp. 612, 952.
DL*	Robinson, Vester, Solid-State Circuit Analysis (Reston Publishing Co.: Reston, VA, 1975), pp. 309-314.
DM*	Alavi, Hossein, Power Control and Interference Management in a Spread-Spectrum Cellular Mobile Radio System (1984) (Unpublished Ph.D. Dissertation, Michigan State University).
DN*	M.S. Pursley, "Performance Evaluation for Phase-Coded Spread-Spectrum Multiple-Access Communication - Part I: System Analysis", IEEE Transactions on Communications, Com-25, No. 8, August, 1997.
DO*	J.M. Holtzman, "A Simple, Accurate Method To Calculate Spread-Spectrum Multiple-Access Error Probabilities", IEEE Transactions on Communications, Vol. 40, No. 3, March 1992.
DP*	Frequenz, no. 9/10, 20 September 1986, Berlin De, pages 255-259, Eizenhöfer 'Anwendung der Spread-Spectrum-Technik in dem hybriden Mobilfunksystem MATS-D'

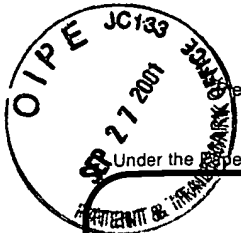
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PTO/SB/21 (08-00)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/878,586
Filing Date	June 11, 2001
First Named Inventor	Donald L. Schilling
Group Art Unit	Not Yet Known
Examiner Name	Not Yet Known
Attorney Docket Number	I-2-53.3US

Total Number of Pages in This Submission 12

## ENCLOSURES (check all that apply)

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>PTO-1449 Form |
|--|---|--|

Remarks

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Jeffrey M. Glabicki, Esquire Volpe and Koenig, P.C.	Reg. No. 42,584
Signature		
Date	9/25/01	

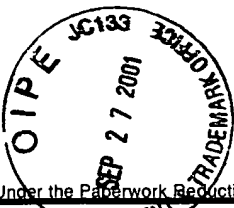
## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

9/25/01

Typed or printed name	Jeffrey M. Glabicki, Esquire		
Signature		Date	9/25/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Volpe and Koenig, P.C. Revision of

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**FEE TRANSMITTAL  
for FY 2001**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 0.00

**Complete if Known**

Application Number	09/878,586
Filing Date	June 11, 2001
First Named Inventor	Donald L. Schilling
Examiner Name	Not Yet Known
Group Art Unit	Not Yet Known
Attorney Docket No.	I-2-53.3US

**METHOD OF PAYMENT**

- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number

22-0493

Deposit  
Account  
Name

Volpe and Koenig, P.C.

- ☒
- Charge Any Deficiency or Credit any Overpayment in the Total Fees Associated with this Communication

☐ Applicant claims small entity status.  
See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$) Code (\$)

101	710	201	355	Utility filing fee
106	320	206	160	Design filing fee
107	490	207	245	Plant filing fee
108	710	208	355	Reissue filing fee
114	150	214	75	Provisional filing fee

Fee Paid

SUBTOTAL (1) (\$0.00)

**2. EXTRA CLAIM FEES**

Total Claims		-	**	Extra Claims	X	Fee from below	=	Fee Paid
Independent Claims		-	**		X		=	
Multiple Dependent		-	**				=	

Large Entity Small Entity

Fee Fee Fee Fee

Code (\$) Code (\$) Code (\$) Code (\$)

103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$0.00)

\*\*for number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
105	130 205 65	Surcharge - late filing fee or oath	
127	50 227 25	Surcharge - late provisional filing fee or cover sheet	
139	130 139 130	Non-English specification	
147	2,520 147 2,520	For filing a request for <i>ex parte</i> reexamination	
112	920* 112 920*	Requesting publication of SIR prior to Examiner action	
113	1,840* 113 1,840*	Requesting publication of SIR after Examiner action	
115	110 215 55	Extension for reply within first month	
116	390 216 195	Extension for reply within second month	
117	890 217 445	Extension for reply within third month	
118	1,390 218 695	Extension for reply within fourth month	
128	1,890 228 945	Extension for reply within fifth month	
119	310 219 155	Notice of Appeal	
120	310 220 155	Filing a brief in support of an appeal	
121	270 221 135	Request for oral hearing	
138	1,510 138 1,510	Petition to institute a public use proceeding	
140	110 240 55	Petition to revive - unavoidable	
141	1,240 241 620	Petition to revive - unintentional	
142	1,240 242 620	Utility issue fee (or reissue)	
143	440 243 220	Design issue fee	
144	600 244 300	Plant issue fee	
122	130 122 130	Petitions to the Commissioner	
123	50 123 50	Processing fee under 37 CFR 1.17(q)	
126	180 126 180	Submission of Information Disclosure Stmt	
581	40 581 40	Recording each patent assignment per property (times number of properties)	
146	710 246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710 249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710 279 355	Request for Continued Examination (RCE)	
169	900 169 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$0.00)

**SUBMITTED BY**

Name (Print/Type) Jeffrey M. Glabicki, Esquire

Registration No.  
(Attorney/Agent)

42,584

**Complete (if applicable)**

Telephone 215-568-6400

Signature

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